

## Arent Fox

May 3, 2012

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

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**RE:** Ex parte, presentation, WC Docket No. 11-42, WC Docket 03-109, CC-Docket 96-45,  
WC Docket 12-23

Dear Ms. Dortch:

On behalf of the Bill & Melinda Gates Foundation, and in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. §1.1206(b), undersigned counsel hereby submits the instant notice of *ex parte* presentation.

On May 2, 2012, Karen Perry, Senior Program Officer, U.S. Libraries, for the Bill & Melinda Gates Foundation, and undersigned counsel met with Kimberly Scardino and Garnet Hanly of the Wireline Competition Bureau to discuss whether the Commission has legal authority to authorize digital literacy funding from the Lifeline program using its ancillary authority under Title I. Undersigned counsel stated that the Commission likely does have such legal authority. We also discussed the importance of digital literacy and that it is not premature for the Commission to authorize digital literacy funding.

This notice is being electronically filed with the Commission.

Respectfully submitted,



Alan Fishel  
Counsel for the Bill & Melinda Gates Foundation